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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ADRIAN JOSEPH ALVARDO,

Defendant.

Case No. 4:22-cr-00103

EIGHTH NOTICE OF COMPLIANCE
AND REQUEST FOR RECIPROCAL
DISCOVERY

Judge David Nuffer

The United States of America, by and through the undersigned, hereby files its notice of compliance with its discovery obligations in this case and request for reciprocal discovery from the defendant.

The United States gives notice that the following is being or has been provided to counsel for the defendant:

Description	Bates Numbers
Uploaded to USAfx	See attached discovery index

Pursuant to Rule 12(b)(4)(A) of the Federal Rules of Criminal Procedure, the United States notified the defense that at trial, the United States may seek to use all physical evidence, statements made by the defendant and others, police reports, phone records, electronic evidence (including body camera footage), documents, and photographs obtained during the investigation.

The United States reserves the right to introduce in its case-in-chief all tangible objects, physical, documentary, and electronic evidence, and all other evidence provided, made available, or identified in discovery.

As additional discoverable material becomes available, such material will be provided within a reasonable time. Throughout this case, the United States will provide material discoverable under Rules 16 and 26.2 of the Federal Rules of Criminal Procedure and the Jencks Act without requiring the defendant to make a specific request for such material. Upon the request of the defendant, the United States will permit and facilitate the defendant's own inspection, copying or photographing of those items described/defined in Rule 16(a)(1)(E).

The United States also hereby requests disclosure of evidence by the defendant (also known as reciprocal discovery) pursuant to Rule 16(b) of the Federal Rules of Criminal Procedure and DUCrimR 16-1(c). By providing Rule 16 discovery without requiring a specific request from the defense, the United States invokes a reciprocal obligation on the defendant under DUCrimR 16-1(c), which states that the defendant must allow the government to inspect and to copy the following, as further defined in Rule 16 of the Federal Rules of Criminal Procedure:

- a. Documents and tangible objects the defendant intends to introduce as evidence at trial;
- b. Reports of examinations and tests the defendant intends to introduce at trial or that were prepared by a witness whom the defendant intends to call at trial; and
- c. A written summary of the testimony of any expert the defendant intends to use at trial under Federal Rules of Evidence 702, 703 and 705.

The United States requests that the defendant provide to the government at a reasonable time before trial, but no later than five working days before trial, copies of the material referenced in this paragraph. Further, the United States requests continuing compliance with the reciprocal discovery following the initial disclosure.

The United States also hereby requests all written and recorded statements by any witness other than the defendant whom the defendant intends to call at trial or a hearing covered by the Jencks Act or Rule 26.2 of the Federal Rules of Criminal Procedure.

DATED this 8th day of August, 2024.

TRINA A. HIGGINS
United States Attorney

/s/ Angela Marie Reddish-Day
ANGELA MARIE REDDISH-DAY
Assistant United States Attorney

CERTIFICATE OF SERVICE

I certify that on the 8th day of August, 2024, the Eighth CERTIFICATE OF COMPLIANCE AND REQUEST FOR RECIPROCAL DISCOVERY was filed electronically to the District Court, and caused to be made available for download from USAfx, to the following:

- Scott F. Garrett, Defense Attorney

/s/ Theresa Fano

Theresa Fano

Paralegal Specialist

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DISCOVERY INDEX

CATEGORY	FOLDER NAME	SUB-FOLDER	DESCRIPTION	BATES BEGIN	BATES END	SOURCE	NOC
INVESTIGATIVE REPORTS	REPORTS		Washington City Police Department Report - Officer Nolan Tanner	RPT-WCPD-00001	RPT-WCPD-00001.17		1
	REPORTS		Washington County Drug Task Force Report - Det. Jesse Sanchez	RPT-WCDTF-00001	RPT-WCDTF-00001.02		1
	REPORTS		Supplemental Report - Agent Marcus Jensen	RPT-DEA-00001	RPT-DEA-00001.02		1
	REPORTS		Homeland Security Investigations Report - Agent Jed Hirschi	RPT-HSI-00001	RPT-HSI-00001.03		1
MEDIA	BODY & DASH CAMS		Dash Cam Video of Officer Nolan Tanner (mailed USPS 10/14/2022)	DC-WCPD-00001	DC-WCPD-00001		1
	BODY & DASH CAMS		Body Cam Video of Officer Nolan Tanner	BC-WCPD-00001	BC-WCPD-00001		1
	BODY & DASH CAMS		Audit Log for Body Cam	BC-WCPD-00002	BC-WCPD-00002.02		1
	BODY & DASH CAMS		Spreadsheet	BC-WCPD-00003	BC-WCPD-00003		1
BACKGROUND	BACKGROUND		NCIC III - Criminal History for Alvarado	BG-AJA-00001	BG-AJA-00001		1
	BACKGROUND		Utah Criminal History for Alvarado	BG-AJA-00002	BG-AJA-00002.28		1
			New attorney hired. Frank Berardi. Provided Discovery via USAfx.				2
INVESTIGATIVE REPORTS	REPORTS		Forensic Analysis Report - Controlled Substance Analysis	RPT-UBFS-00001	RPT-UBFS-00001.02		3
MEDIA	BODY & DASH CAMS		Body Cam Video of Deputy Dan Montgomery	BC-WCSO-00001	BC-WCSO-00001		3
	BODY & DASH CAMS		Audit Log for Body Cam (Montgomery)	BC-WCSO-00002	BC-WCSO-00002		3
INVESTIGATIVE REPORTS	REPORTS		Synopsis of Deputy D. Montgomery	RPT-WCPD-00002	RPT-WCPD-00002		4
	REPORTS		Affidavit of Probable Cause - Officer Nolan Tanner	RPT-WCPD-00003	RPT-WCPD-00003.03		4
	REPORTS		Search Warrant 2499151 & Affidavit	RPT-WCPD-000004	RPT-WCPD-00004.06		4
	REPORTS		Contact Report - Detective B. Gibson	RPT-WCDTF-00002	RPT-WCDTF-00002.02		4
	REPORTS		Supplemental Report - Detective J. Gray	RPT-WCDTF-00003	RPT-WCDTF-00003		4
	REPORTS		Email from N. Hirschi regarding phone dump	RPT-HSI-00002	RPT-HSI-00002		4
MEDIA	PHOTO		Photo of evidence	PH-00001	PH-00001		4
	PHONE RECORD		Phone Record of Adrian Alvarado	PR-00001	PR-00001		4
			All contents of NOC 1 - NOC 4 were also mailed to defense attorney Frank Berardi on 08.23.23				4
			All discovery including NOCS 1 - 4 provided to new attorney Ryan Stout via USAfx on 11.15.23				5
			All discovery including NOCS 1 - 4 provided to new attorney Paul Riddle via USAfx on 01.18.24				6
			All discovery including NOCS 1 - 4 provided to new attorney Scott Garrett via USAfx on 02.05.24				7
INVESTIGATIVE REPORTS	REPORTS		HSI Report (Interview with McCauley)	RPT-HSI-00003	RPT-HSI-00003.22		8
	REPORTS		Evidence Release Memo from Washington County Attorneys Office	RPT-HSI-00004	RPT-HSI-00004		8
	REPORTS		Standard Sample of Evidence Release Memo	RPT-HSI-00005	RPT-HSI-00005		8
	REPORTS		Destruction Report, Washington City Police Dept. Incident 23Z009853	RPT-HSI-00006	RPT-HSI-00006.06		8
	REPORTS		Email thread between Nolan Tanner and Stanley McCauley regarding evidence;	RPT-HSI-00007	RPT-HSI-00007.33		8
			Evidence & Property Report; Evidence Transfer Receipt; Chain of Custody;				
			WCPD Property and Evidence Policy				
	REPORTS		Email thread regarding documents requested from WCPD Evidence Tech	RPT-HSI-00008	RPT-HSI-00009.33		8
	REPORTS		Email thread regarding abbreviations used in chain of custody	RPT-HSI-00010	RPT-HSI-00010		8
	REPORTS		Email thread regarding weight of fentanyl pills	RPT-HSI-00011	RPT-HSI-00011		8
	REPORTS		Email thread regarding fentanyl testing	RPT-HSI-00012	RPT-HSI-00012		8
MEDIA	INTERVIEW		Audio interview with Stanley McCauley	INT-00001	INT-00001		8